



Minneapolis
City of Lakes

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March 1, 2002

**In the Matter of the
Motor Vehicle Repair Garage and
Towing Licenses for
Ross Johnson, DBA R and R Repair
4224-41st Street East, Minneapolis, MN
Ward 12**

**Findings of Fact
Conclusions, and
Recommendations**

This matter came to the attention of the License and Environmental Management Division of the Department of Regulatory Services as a result of a neighborhood complaint. The licensee, Ross Johnson, opted to forego a Technical Advisory Committee hearing and resolve the issue forthwith. Based on an inspection and discussion with the licensee, the Department makes the following findings.

FINDINGS OF FACT

1. Environmental Management Inspector Roger Van Tassel answered a complaint that the motor vehicle repair garage located at 4224-41st Street East, cleaned their building with soap and rinsed the residual water and soap to the City storm drain. The complainant took pictures.
2. License Inspector Julie Casey and Inspector Van Tassel conducted a dual inspection of the motor vehicle repair garage. The following violations were noted.
 - a. Spare vehicle parts stored on the parking areas.
 - b. Exterior and unsecured storage of oil and antifreeze. Barrels were located right on the lot.
 - c. The licensee failed to present his tow truck for inspection and it was unlicensed at the time of the inspection. Unlicensed tow trucks cannot be maintained in the City.
 - d. A semi trailer was being used to store vehicle parts and oil.
 - e. Several vehicles stored on the lot had expired tabs and broken parts.
 - f. A hoist was installed outside of the building and was being used to change oil. Repair activity is required to be conducted in the building.
 - g. The repair building did not have a method in place to stop run off from the shop from draining onto the City Street.
 - h. Tires were being stored on the exterior of the building.
 - i. The Dumpster was not in an enclosure. Used tires were piled up in the Dumpster area.

- j. The fence between the business and the residential neighbor was falling down.
3. Mr. Ross Johnson admitted rinsing the water and soap into the city storm drain. He agreed that his business property had gotten messy looking. He wanted to resolve the issues with the city without a hearing.

CONCLUSIONS

1. R and R Auto Repair stored numerous items on the exterior of the motor vehicle repair garage in violation of Zoning Codes.
2. R and R Auto Repair stored an unlicensed tow truck on his property.
3. R and R Auto Repair dumped unauthorized cleaning products in the city storm drain.
4. R and R Auto Repair repaired vehicles outside of the repair building.

RECOMMENDATIONS

Mr. Ross Johnson, R and R Auto Repair agreed to resolve all existing code violation without a hearing. Due to his cooperation in resolving these matters the Department makes the following recommendations.

1. An administrative penalty in the amount of \$5000.00 is imposed for the soap being dumped into the storm. \$4500.00 of the penalty is stayed pending no same or similar violations within a one-year period. \$500 is due and payable upon signing this agreement.
2. A 3-foot solid wood fence will be installed between the business and the residential property by October 31, 2002.
3. All vehicle parts, oil and antifreeze shall be removed from the parking areas and building exterior by March 15, 2002.
4. The tow truck shall be inspected or removed from the business property by March 31, 2002.
5. A Dumpster enclosure shall be installed by June 1, 2002.

6. All junk vehicles (defined as past due tabs over 90 days or missing parts) shall be removed by March 3, 2002.
7. The hoist shall be removed from the business property by September 30, 2002.
8. A berm or oil/water separator shall be installed by March 31, 2002.

I have read the above report and recommendations. I agree with the report, and I agree with the above recommendations. I understand that failure on my part of the part of my business to adhere to this agreement with the Department may lead to further action against my license. I understand that this report must be accepted by the Minneapolis City Council and signed by the Mayor. I understand that future violations may put my license in jeopardy.



3/22/02

Ross Johnson, R and R Auto

Date

Witness

Date

Witness

Date